

In re: MYATT  
10/690,825

**REMARKS**

Reconsideration and allowance are respectfully requested.

Claims 1-31 are pending in this application with claims 30-31 being allowed.

Claims 1-4, 7, 8 and 9-16 stand rejected under 35 USC 102(b) as being anticipated by Chirnomas. The Examiner states that she "considers the pocket to correspond to the holder attached to the rear side of sign 510". While applicant agrees that Chirnomas discloses that a holder sheet 516 can be attached to sign 510, such an arrangement fails to disclose or suggest the invention of amended claim 1, for the reasons described below.

Claim 1 is directed to a retrofit kit for a vending machine that can be supplied for various types of older style vending machines and which upgrades the appearance of such older style vending machines to a style similar to the marketing graphics of new vending machines merely by the replacement of the existing sign 1 with the claimed retrofit kit. No other modifications are needed to the machine and other components of the vending machine do not need to be replaced to accommodate the retrofit kit replacement of the sign (excepting sign fasteners or other fungibles that would need to be replaced even if the existing sign were replaced by an identical old-style sign; also excepting replacement of product identifier cards). This provides for an extremely efficient and cost effective approach to giving an older style machine a substantially new appearance for renewed market life. See the present specification at page 11, lines 3-15. In such a retrofit environment, the fewer the number of components that must be removed and replaced, the more cost efficient the kit is and the more likely that an older style machine will be retrofitted.

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Claim 1 has been amended to require:

1. (Currently Amended) A signage retrofit fit kit for a vending machine, comprising:
- a sign having a front side for forming an exterior surface of the vending machine and being visible toby a customer of the vending machine and a rear side for facing the vending machine, the sign being attachable to a front portion of the vending machine and having at least one window portion through which an item located on the rear side of the sign can be viewed from the front side of the sign, the window portion being spaced apart from a product identification window of a selection panel of the vending machine and having a size greater than a size of the selection panel product identification window; and
  - a holder constructed and arranged to be attached to the rear side of the sign and supported entirely by the sign, the holder also constructed and arranged to hold a remote product identifier such that the remote product identifier is viewable from the front side through the window portion of the sign, the remote product identifier also having a size greater than the size of the selection panel product identification window.

This amendment helps clarify the structure of the retrofit kit. That is, the sign of claim 1 is a single component with a front face forming an exterior of the machine and a rear face of the same sign supporting the holder and remote product identifiers. See Figs. 2, 5, 9 and 10, as well as page 6, line 17 through page 8, line 10, of the present specification.

In this manner, the retrofit kit of the present invention is a truly self-contained retrofit kit for changing the appearance of the outdated vending machine. The outdated sign of the existing vending machine is removed in the normal manner and replaced by the sign of the present invention (with the holder and remote product identifiers being attached to rear of the sign itself) in exactly the same manner as the outdated sign being replaced. No modifications need be made to the vending machine to support the holder and remote product identifiers, nor do additional components need to be replaced to retrofit the new sign (noting the above exceptions).

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Chirnomas, on the other hand, is not directed to a retrofit kit for updating the appearance of older machines, but discloses a vending machine of new manufacture. Chirnomas neither recognizes the problems of updating the appearance of prior art type machines already in the field nor the issues related to providing a retrofit kit for updating such machines.

In Chirnomas, the exterior front surface of the machine is formed by the display face panel 18. See Figs. 1 and 4b and ¶¶ [0063] and [0073]:

[0063] Front door 14 includes a convex-shaped display face panel 18 (commonly referred to as a "bubble" front); adjacent a flat section 20, however, these particular shapes are not necessary for the invention. For example, convex shaped display face panel 18 could be flat. Display face panel 18 is attached to the front of door 14 via a perimeter frame 9 of conventional design. In the illustrated embodiment the display face panel 18 is back-lit using fluorescent bulbs, not shown, to enhance the visibility of its graphics, and may therefore comprises a translucent plastic base material, such as LEXAN.RTM. or similar polycarbonate, having a thickness of, for example 0.115 inches. Display panel 18 typically has brand name and/or logo graphics pre-printed or screened on an interior facing side thereof, and may even include graphics which illustrate the individual articles that are vendible by vending machine 10, as well as the price and/or selection information for the articles. ... (emphasis added)

...

[0073] In accordance with the principles of the present invention, a further opening is provided in door 14, namely a display face change slot or access port 308. As will be described in greater detail later, slot 308 is used for juxtaposing a replaceable graphics display panel with the interior facing side of display face panel 18, enabling quick change graphics in accordance with one aspect of the present invention. (emphasis added)

The "[d]isplay face panel 18 is attached to the front of the door 14 via a perimeter frame 9 of conventional design" (¶ [0063]). Behind the display face panel 18, a separate graphics

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panel 410 is positioned in a slot 308 of the vending machine (¶¶ [0073] and [0077]). The separate graphics panel 410 can be embodied as 1) a single panel 410 or 2) comprising sheets 510 (see ¶ [0085] “...replaceable graphics panel 410 comprises a mask sheet 510...”) and/or 516 (¶ [0086]) and 522 (¶ [0087]). See also Figs. 4a, 5a, 5b, and 5c and ¶¶ [0076] and [0077]:

[0077] In accordance with a further aspect of the present invention, replaceable graphics panel 410 is placed in juxtaposition with the interior facing side of panel 402 by the machine operator passing the replaceable graphics display panel 410 from the interior side of door 14, through slot 308, and into a press fit against panel 402. With an arrangement in accordance with the illustrated embodiment, the operator will push panel 410 into slot 308 so that the lower side of panel 410 rests against top portion 23 of customer retrieval area 22, and extends across the expanse of face panel 402 until it reaches stops 320 mounted along the side of frame 9 which is opposed to slot 308. Panel 410 is dimensioned to make a tight fit between the opposed stops 320, so the operator simply pushes panel 410 in as far as it can go, and then presses it against the stops 320 along the edge of slot 308 until it “snaps” into place. Supported in this position panel 410 is visible to a user of the vending machine through the clear portion 408 of bubble front 18. Since slot 308 is only accessible from inside machine 10, unauthorized access to slot 308 and attendant change of the display graphics is substantially prevented. In a further embodiment of the invention, a hinged lockable cover, not shown, may be included over slot 308, for further control over access to slot 308 from inside of machine 10, as well to prevent access to the interior of the machine by vandals located outside of machine 10. (emphasis added)

Thus, Chirnomas discloses an exterior display face panel 18 and a separate graphics panel 410 positioned behind the display face panel 18. The display face panel 18 is mounted to the machine via the perimeter frame 9, while the separate graphics panel 410 is supported in slot 308, a completely separate and different structure, located at a different position on the machine, than the perimeter frame 9.

The separate graphics panel 410 can comprise a mask sheet 510. The holder sheet 516 is attached to the mask sheet 510 of separate graphics panel 410 and not to display face panel

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18. The holder sheet is not attached to the component that forms an exterior surface of the vending machine, as required of the sign of claim 1. In fact, Chirnomas teaches away from replacement of the display face panel 18, instead teaching replacement of the separate graphics panel 410 positioned behind the clear portion 408 of panel 18. See ¶¶ [0076] and [0084].

Nor, is the holder sheet "supported entirely by the sign" as also required by claim 1, since the holder sheet is supported by the separate graphics panel 410/mask sheet 510, positioned behind the display 18, which panel 410/sheet 510 is in turn supported in slot 308 of the vending machine, not even supported by perimeter frame 9.

To summarize then, Chirnomas discloses attaching a holder sheet to mask sheet 510 of separate graphics panel 410. Chirnomas does not disclose or suggest 1) attaching the holder sheet to the component that forms an exterior surface of the vending machine or 2) supporting the holder sheet entirely by the component/sign forming the exterior surface, both of which are required in claim 1.

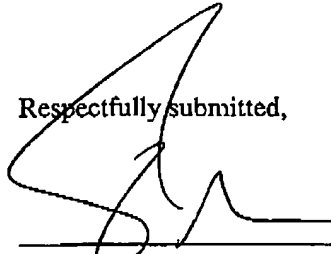
For these reasons, Chirnomas does not anticipate or render obvious the invention of claim 1 and it is respectfully requested that this rejection of claim 1 be withdrawn and an indication of allowance be given for claim 1.

Claims 2-29 depend from claim 1 and are believed allowable for the same reasons as claim 1, as well as for the further limitations contained therein.

In view of the above, it is believed that the application is in condition for allowance and such a Notice is respectfully requested. If anything else is needed to place the application in condition for allowance, it is kindly requested that the undersigned be contacted.

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Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Timothy J. Klima', written over a horizontal line.

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